

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 0 - 1

Yeas: Kruse, Morse, Shields, Monnes Anderson

Nays: 0

Exc.: Bates

Prepared By: Brian Niebuurt, Administrator

Meeting Dates: 2/7, 4/11

WHAT THE MEASURE DOES: For charges and expenses related to law enforcement activity, clarifies that providers must first make reasonable efforts to collect the charges and expenses from the individual and any responsible third party payer before billing the Law Enforcement Medical Liability Account (LEMLA) or a local correctional facility. Defines “responsible third party payer.” Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Purpose of LEMLA
- Funding and budget of LEMLA
- Need for clarification in statute

EFFECT OF COMMITTEE AMENDMENT: Clarifies “reasonable efforts to collect the charges and expenses” definition.

BACKGROUND: LEMLA was created by the Legislative Assembly in 1991 for the purpose of providing a means for reimbursing medical providers for medical expenses incurred from injuries sustained by an individual as a result of law enforcement activity. Claims are only paid out of the account when recovery from the injured person and/or their insurance carrier is unsuccessful. LEMLA is funded by assessments added to fines and bail forfeitures; no General Fund is involved.

Senate Bill 93-A clarifies the law to add a definition of “responsible third party payer” to make clear that LEMLA is the payer of last resort. The Department of Human Services indicates that this statutory change reflects their current policy.

4/14/2011 9:00:00 AM

This summary has not been adopted or officially endorsed by action of the committee.